

Frankfort Architectural Review Board

March 15, 2005

Members Present: Andrew Casebier  
Dwayne Cook  
John Downs  
Joe Johnson  
Roger Stapleton (5)

Members Absent: None (0)

There being a quorum, the meeting proceeded and was called to order by Chairman Stapleton.

A motion was made by Mr. Cook to approve the minutes of the meeting of February 15, 2005. The motion was seconded by Mr. Downs and carried unanimously.

The first item of business was in accordance with Articles 4 and 17 of the City of Frankfort Zoning Code, the Board consider adopting written findings of denial concerning the request by Mr. Roy Lewis for a Certificate of Appropriateness to allow the installation and placement of a storage building at 431 Steele Street. Mr. Robert Hewitt, Senior Planner, was present and stated on November 16, 2004, the ARB denied a request by Mr. Lewis for a Certificate of Appropriateness to allow the placement of a metal storage building at 431 Steele Street. He stated the applicant later appealed the ruling by the ARB to the Architectural Review Appeals Board (ARAB). Mr. Hewitt stated after the review at the February 2, 2005 meeting, the ARAB ruled that the ARB did not specify the reasons for the denial. Mr. Hewitt stated staff prepared a new Final Order which specifies the criteria in which the ARB based their decision. Mr. Hewitt stated staff is requesting that the ARB review the Final Order and if accurate, officially adopt the document into the record or an acceptable version.

A motion was made by Mr. Casebier to adopt the final order and that it did represent the criteria and findings. The motion was seconded by Mr. Cook and carried unanimously.

The next item of business was a request from Rick Wacker for a conditional use permit to operate a commercial catering business at 127 East Todd Street. Mr. Hewitt was present and requested his verbal and any written testimony be entered into the record.

Mr. Wacker was present and stated he used a regular grill smoker with two chambers approximately 5' x 5'. He stated it has wheels and it can be moved inside at night. He stated if he did not have to screen the grill he would take it in everyday. Mr. Hewitt stated he would work with Mr. Wacker as to whether the grill would be on the side or rear of the property.

There was no one in the audience to speak in favor or in opposition.

The Board agreed Mr. Wacker could have carry out service. A motion was made by Mr. Casebier to approve the request with the following condition:

1. The conditional use is permitted only at 127 East Todd Street.
2. The conditional use is granted only to Mr. Rick Wacker.
3. The conditional use is not transferable and any change in ownership or use will make this approval null and void.
4. Any signs for the catering use at 127 East Todd Street conforming to the standards contained in Article 13 of the Frankfort Zoning Ordinance are approved administratively.
5. No exterior vending machines permitted on the property with the exception of standard size newspaper vending machines.

6. Screening of any outdoor use (outdoor food preparation) and/or refuse disposal containers shall require the installation of a 6 foot tall wood privacy fence, double row of evergreen trees or a combination thereof with height and location negotiated with staff.

7. No grills, smokers or the like shall be permitted on the sidewalk.

The motion was seconded by Mr. Downs and carried unanimously.

The next item of business was a request from the Kentucky Tourism Council for a conditional use permit to operate a professional office at 612 B Shelby Street. Mr. Hewitt was present and requested his staff report and any verbal testimony be entered into the record. Mr. Hewitt stated there were professional offices in the block. Mrs. Nash Cox, owner of the building, was present and stated the Community Farm Alliance is next door and there have been offices in the building for a good while.

Ms. Markita Sparrow, Chairman and CEO of KY Tourism Council, was present and stated they have three employees. There was no one in the audience to speak in favor or in opposition.

A motion was made by Mr. Johnson to approve the request with the three staff conditions: 1. The conditional use is permitted only at 612 B Shelby Street; 2. The conditional use is granted only to the KY Tourism Council; 3. The conditional use is not transferable and any change in ownership, lessee, or type of business will make this approval null and void. The motion was seconded by Mr. Cook and carried unanimously.

The final item of business was a request from Mr. Zigurds Grigalis for a Certificate of Appropriateness to construct a two story addition to the rear of the structure and a conditional use permit for professional offices located at 329 West Main Street. Mr. Hewitt was present and requested his written report and verbal testimony be entered into the record. Mr. Hewitt stated there were six bullets he wanted the ARB to consider on page 14 of the staff report. He stated he did recommend approval and a setback determination was included.

Mr. Grigalis was present and stated the items for question were minor and could be taken care of. He stated the ornamentation in the front would be restored or be duplicated. He stated the door has been setback with an arch and they will use the archway on the new. He added the windows can't be used of the same size because they would be higher than the ceiling. He added the two new windows would be vertical 2-over-2. He added he wants to go back to the original building as much as possible and there would be two new custom windows in the back. He added he felt there was a two story structure in the back on the right originally in the 1820's maybe. Mr. Grigalis stated the land property is exactly the size of the building and there is no margin allowed and the new portion of the building will be 1 inch from the property lines on both sides. He stated he is using asphalt shingles on the new roof and using the original slope. He stated he was using aluminum gutters but was not sure about gutters and downspouts on the back elevation because of the property line. He stated the brick would be painted on the new addition and the original brick would be tuck pointed and the whole building then painted. Mr. Casebier thanked Mr. Grigalis for his research into the building. There was no one in the audience to speak in favor or in opposition to the request.

A motion was made by Mr. Casebier to approve the request with the following conditions: 1) reinstall 2 existing windows with custom made windows and the windows on the new portion would be proportionately correct with size to be reviewed by staff; 3) brick on the new addition will be painted similar to the original building after being tuck pointed; 4) material on fascia and soffitt will be consistent with the old; 5) the existing roof on the existing building is to remain in place and the new roof will be composition shingles. The motion was seconded by Mr. Cook and carried unanimously for the Certificate of Appropriateness. A motion was made by Mr. Johnson to approve the conditional use permit with all staff conditions being met. The motion was seconded by Mr. Cook and carried unanimously.

A motion was made by Mr. Cook to adjourn. The motion was seconded by Mr. Johnson and carried unanimously.

\_\_\_\_\_ Chairman

\_\_\_\_\_ Recording Secretary